United Nations S/PV.4885

Security Council

Fifty-eighth year

Provisional

4885th meeting

Tuesday, 16 December 2003, 1.55 p.m.

New York

President:	Mr. Tafrov	(Bulgaria)
Members:	Angola	Mr. Lucas
	Cameroon	Mr. Belinga-Eboutou
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	France	Mrs. D'Achon
	Germany	Mr. Haupt
	Guinea	Mr. Sow
	Mexico	Mrs. Arce De Jeannet
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mr. Oyarzún
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Ms. MacKenzie
	United States of America	Mr. Cunningham

Agenda

The situation in Somalia

Letter dated 4 November 2003 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2003/1035)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-65721 (E)

The meeting was called to order at 1.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

Letter dated 4 November 2003 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2003/1035)

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Somalia in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Hashi (Somalia) took a seat at the Council table.

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2003/1035, which contains the letter dated 4 November 2003 addressed to the President of the Security Council from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia. Members of the Council also have before them document S/2003/1177, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Angola, Bulgaria, Cameroon, Chile, China, France, Germany, Guinea, Mexico, Pakistan, Russian Federation, Spain, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1519 (2003).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 2 p.m.

United Nations S/PV.4886

Security Council

Fifty-eighth year

Provisional

4886th meeting

Wednesday, 17 December 2003, 10 a.m.

New York

President:	Mr. Passy	(Bulgaria)
Members:	Angola	Mr. Gaspar Martins
	Cameroon	Mr. Belinga-Eboutou
	Chile	Mr. Maquieira
	China	Mr. Cheng Jingye
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Guinea	Mr. Zoumanigui
	Mexico	Mr. Pujalte
	Pakistan	Mr. Akram
	Russian Federation	Mr. Gatilov
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Atieh
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-65935 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

The President: I should like to inform the Council that I have received letters from the representatives of Albania, Italy and Serbia and Montenegro, in which they request to be invited to participate in the discussion of the item of the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter on rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the aforementioned representatives took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

It is so decided.

At the invitation of the President, Mr. Guéhenno took a seat at the Council table.

The President: The Security Council will begin its consideration of the item on the agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Jean-Marie Guéhenno.

I now give the floor to Mr. Guéhenno.

Mr. Guéhenno: Thank you, Mr. President, for this opportunity to brief the Security Council on recent developments in Kosovo since Mr. Holkeri's last briefing on 30 October.

The past two months have been eventful in Kosovo, particularly with regard to political developments that chart a way forward in Kosovo in accordance with resolution 1244 (1999) and the agreed policy of "standards before status".

On 5 November, an initiative to establish a mechanism to review the Kosovo Provisional Institutions of Self-Government's progress towards meeting the benchmarks in the "standards before status" policy, endorsed by this Council, was launched under the auspices of the Special Representative of the Secretary-General, Mr. Holkeri. The initiative is designed to give new momentum to the "standards before status" policy and to structure and refocus the work of the Kosovo Provisional Institutions on meeting the benchmarks contained in the eight standards: functioning democratic institutions; rule of law; freedom of movement; returns and reintegration; economy; property rights; dialogue with Belgrade; and the Kosovo Protection Corps.

As stated in the recent Presidential Statement, the review mechanism, under the authority of the Council, envisages regular and structured reviews of the Provisional Institutions' progress in meeting the standards, based on the assessments contained in the Secretary-General's quarterly reports to the Security Council. Special Representative of the Secretary-General Holkeri, who will be in charge of the review mechanism on the ground, will closely consult and coordinate with key Member States, particularly those in the Contact Group.

Depending on progress made towards reaching the standards, as assessed during the periodic reviews, a general review of the Provisional Institutions' progress will be undertaken. A first opportunity for such a general review should occur around mid-2005. During the general review in 2005, progress by the Provisional Institutions towards meeting the eight standards will be assessed. Further advancement towards the process leading to a determination of Kosovo's future status will depend on the positive outcome of the comprehensive review. If the Provisional Institutions have not fulfilled the standards by that time, it is proposed that they should be given a further period in which to work on meeting them, during which the periodic reviews would continue, leading up to the next general review. It is clear that there is no deadline and that the future status process will not start automatically on the review date. A

prerequisite for any discussion on Kosovo's future status remains the achievement of the eight standards. At the same time, achieving the standards would lead to a qualitative change in Kosovo, which is a goal in itself and an essential precondition to advance democracy and a multi-ethnic society in Kosovo.

An important step in the process was the launch of the "Standards for Kosovo" document on 10 December by Mr. Holkeri, welcomed in the Council's Presidential Statement of 12 December. The standards document elaborates on the original standards and benchmarks paper and contains detailed benchmarks within each of the eight standards that Kosovo's Provisional Institutions will be required to meet as part of the review process. This document, together with the upcoming joint implementation workplan, will provide the basis for the periodic reviews of the progress achieved by Kosovo's Provisional Institutions in reaching the eight standards. The standards document has been supported by the leaders of Kosovo's Provisional Institutions. Kosovo's President and the Prime Minister, the leader of the Kosovo Democratic Party (PDK), as well as several leaders of non-Serb minority communities who participated in the launch of the document, have stated their commitment to the process. Assembly President Daci and Alliance for the Future of Kosovo (AAK) leader Haradinaj did not attend the launch, despite lengthy consultations on the document and their stated agreement with the standards. Kosovo Serb leaders have also distanced themselves from the document, following a statement issued by the Government of the Republic of Serbia that the document in its current form was unacceptable.

There was also disagreement between United Nations Interim Administration Mission in Kosovo (UNMIK) and the Provisional Institutions on the introduction originally contained in the statement, which included inter alia a sentence on full compliance with resolution 1244 (1999), the Constitutional Framework and other applicable law and the original standards and benchmarks statement. This introduction has had to be omitted for the time being owing to opposition by the Kosovo Albanian leaders of the Provisional Institutions to the term "applicable law." Mr. Holkeri has stated that he will continue his efforts aimed at ensuring that an introduction would be incorporated in the document at a later stage that will be in accordance with these fundamental principles, drawing on language from the Presidential Statement of 12 December. The Special Representative of the Secretary-General is discussing the wording of the introduction with the Prime Minister.

The standards document will be followed by a joint implementation workplan for the Provisional Institutions to provide transparency and clarity to all involved. The workplan will set out in detail the specific, concrete and measurable steps that these institutions will need to take towards achieving the benchmarks and will differentiate between the respective responsibilities of UNMIK and the Provisional Institutions. A steering group, co-chaired by the Special Representative of the Secretary-General and the Kosovo Prime Minister, has been formed to lead the process and in its first meeting on 10 December set up five joint UNMIK/Provisional Institutions of Self-Government working groups, which will elaborate an implementation workplan. At present, Provisional Institutions of Self-Government representatives are actively participating in the drafting of the workplan. As was the case with the standards document, UNMIK intends to keep Belgrade fully abreast of the process of elaboration of the work plan. We will keep the Council regularly informed on developments and, once the plan is complete, it will be presented to this Council.

UNMIK has continued the transfer of non-reserved responsibilities to the Provisional Institutions and will finalize the transfer of the non-reserved competences in chapter 5 of the Constitutional Framework by the end of 2003. A small number of specific responsibilities will not become operational until the relevant legislation is passed — for example, legislation on the creation of an independent media commissioner. In addition, UNMIK has continued to seek to increase the involvement of the Provisional Institutions in an advisory and consultative capacity in the administrative and operational functions in the specific reserved areas identified in chapter 8 of the Constitutional Framework. Their increased involvement will not affect the powers and responsibilities of the Special Representative of the Secretary-General in those areas, and those reserved responsibilities will not be transferred. As part of the process, UNMIK is reviewing the Kosovo Government's proposal to create additional structures within the Government, or as liaison between UNMIK and the Government, in order to build capacity and increase transparency. One such measure, which has

already been implemented, is the appointment of a Kosovo Government liaison in the Office of the Special Representative.

No laws have been promulgated in the past two months. However, the Government approved seven draft laws, and has forwarded them to the Kosovo Assembly, including a draft anti-discrimination law, which was initiated by the Office of the Prime Minister. For the first time, the Assembly initiated a draft law — on gender equality — sponsored by the Assembly's Gender Equality Commission. The Assembly has held a number of public hearings on draft laws — on anti-discrimination, gender equality and health — and the Assembly's budget and finance and economy committees have been holding twice-weekly meetings with municipalities and offices within the Provisional Institutions of Self-Government and UNMIK to discuss budget proposals for 2004. Recent plenary sessions of the Assembly, however, have been marked by severe procedural violations and inconsistency in the counting of votes. A significant number of Assembly members have raised objections, but the practice has not yet been corrected.

On 11 December, following a motion by the Kosovo Government, and acting on a recommendation of the Assembly's committee for judicial, legislative and constitutional framework matters, the Assembly adopted a decision to abrogate all laws, decisions and acts relating to Kosovo enacted in Yugoslavia and Serbia after 22 March 1989. The Special Representative of the Secretary-General, Mr. Holkeri, immediately issued a determination that that decision of the Assembly was beyond its competence and was without validity and effect.

As a result of enforcement of the rule of law through timely interventions at the local level, UNMIK civil administration has reported signs of improvement in the municipalities acting within the scope of their responsibilities in accordance with UNMIK Regulation No. 2000/45, on local self-government. UNMIK municipal representatives have intervened in order to suspend decisions relating to the misuse of public funds and attempted misappropriation of lands under the administration of the Kosovo Trust Agency. As a result of the civil administration's welcome action and intervention, there has been an increase in the constructive engagement between UNMIK and local officials in the municipalities.

The representation of Kosovo Serbs and non-Serb minorities remains poor in the structures of the Provisional Institutions of Self-Government: none have reached the target percentages and the disparity in the proportional representation persists in senior-level positions. Progress remains slow in that regard within the 30 municipalities as well. Generally, non-majority communities also have little impact on the decision-making process, particularly in the municipalities. The use of official languages in assembly sessions in municipalities tends to be satisfactory; however, the translation of official documents in many municipalities remains reliant on UNMIK initiatives and resources. While the timely provision and quality of official documents in all official languages varies by ministry, the translation of official documents at the central level is gradually improving and, contrary to the municipal level, is not dependent on UNMIK or international resources.

The past two months have been characterized by an increase in serious crimes, including attacks against Kosovo Police Service (KPS) officers. Two KPS officers were murdered near the town of Decani, in the region of Pec, on 24 November. Encouraging successes in investigations against organized crime may be a cause for some of those attacks. Crimes directed against Kosovo Serbs decreased, as did ethnically motivated crimes. A number of public demonstrations took place across Kosovo. Two significant public-order incidents occurred in Mitrovica. On 28 November, a crowd demonstrated against the decision to take down an Albanian flag that had been illegally raised over the Mitrovica municipality; and, on 6 December, a violent mob attacked a World Bank delegation and the Kosovo Prime Minister during a visit to northern Mitrovica. UNMIK condemned that attack, in which one member of the World Bank delegation was slightly injured and four vehicles, including two police vehicles and a United Nations bus, were burned.

UNMIK police have made progress in the arrest of suspected perpetrators of serious crimes. For example, the police arrested one suspect in the case of the bombing of the railway bridge in northern Kosovo earlier this year, as well as suspects on charges relating to war crimes committed against Kosovo Albanians in 1999, trafficking and suspected terrorist activities. Since the beginning of September, the anti-trafficking unit has made 25 arrests, closed down 128 establishments and rescued 70 victims of prostitution.

Police have also seized 36 kilograms of heroin and 6 kilograms of other narcotics. UNMIK has established an investigation task force, comprised of representatives of the United Nations Office of Internal Oversight Services, the European Union Anti-Fraud Office and the Financial Investigation Unit, which will coordinate investigations of fraud and corruption involving Kosovo's Provisional Institutions, public enterprises and UNMIK.

The development of the KPS and the local judiciary continued. Seven police stations are now under KPS command. Six additional judges and one prosecutor from the Kosovo Serb community were appointed, although parallel judicial structures still exist in four Kosovo Serb-majority municipalities, as well as one in Nis.

On 4 November, the Dubrava Commission of Inquiry issued its recommendations on the prisoner riot and resulting fire at Dubrava Prison on 4 September. The recommendations are being implemented within budget constraints. The situation at Dubrava remains tense due to crowded conditions throughout the penal system. However, prison officials have stabilized the situation.

Regional police cooperation was enhanced with the signing of a cooperation agreement with Montenegro, adding to the existing protocols with the police authorities in Belgrade, in Albania and in the former Yugoslav Republic of Macedonia. That regional approach produced success on 29 November 2003, when a Kosovo-Albanian businessman abducted in Serbia was rescued and four Serbian abductors were arrested in the first joint operation by UNMIK police and Serbian police.

Although freedom of movement has improved somewhat, it still remains an obstacle to many people in certain areas of Kosovo. Controls on movement between the southern and northern parts of Mitrovica have been lifted. Members of the Kosovo Serb community in northern Kosovo have yet to avail themselves of the UNMIK-issued vehicle registration plates, which could improve their freedom of movement. Nonetheless, UNMIK has reported that a moderate number of Serbs from elsewhere in Kosovo and in the remainder of Serbia are visiting Pristina and speaking Serbian on the city's streets without incident.

The rate of minority returns has continued to increase, although the overall number of returns remains low. As of 30 November, a total of 3,370 members of non-majority communities returned this year, including over 1,300 Kosovo Serbs, reaching a total of 9,485 overall.

The 2004 Strategy for Sustainable Returns was launched last week, providing detailed information on returns-funding needs for 2004, totalling €38.5 million. The 2004 strategy also includes expanded engagement by the Provisional Institutions of Self-Government and displaced persons in the returns process, improved information flow to displaced persons and addressing property-related obstacles to return. The Kosovo Government also concretely engaged in the returns process. Seven million euros were allocated from the 2002 surplus in the Kosovo consolidated budget for returns, with €5 million being used in municipal returns projects and €2 million supporting municipalities that contribute positively to returns.

Returns projects are ongoing in a number of municipalities, with the active involvement of municipal authorities. Security remains a problem in some areas, and there is sometimes resistance at the community or village level. While such resistance is generally dealt with effectively through dialogue efforts, when such steps are not taken, the result can be serious, as illustrated last week in Klina, near Pec, where 11 persons who had attempted to return spontaneously were met by Kosovo Albanian protestors. The Kosovo Force (KFOR) had to evacuate the group of returnees to prevent an escalation of the situation.

In response to pressure to ensure fair-share financing, municipalities are spending more on minority needs. Despite gradual improvement, less than one-third of the municipalities have met the minimum levels. The level of integration between communities remains extremely limited. Kosovo Albanians and Kosovo Serbs continue to use separate health care and education facilities. No Albanian language schools that offer classes in minority languages include Serbian. No Serbian language schools offer classes in Albanian. In addition, the provision of equitable public services to all communities remains problematic. For example, the Kosovo electric company continues to disconnect minorities who have not paid debts accumulated by illegal occupants.

(*spoke in French*)

The issue of privatization has been a prominent issue in Kosovo during the past several months. While

there is consensus that privatization is necessary to bring economic development to Kosovo, uncertainties as to the legal and operational modalities according to which socially-owned enterprises should be privatized have slowed down the process. Yesterday, a Kosovo Trust Agency (KTA) board meeting was held with a view to move the privatization process forward. The board made the decision to proceed with the privatization of 23 enterprises from the first and second waves of privatization and agreed that a third wave of privatization, involving 19 enterprises, would be carried out in the near future. After weeks of controversy and uncertainty, these decisions will facilitate the easing of political tensions associated with discussions about privatization.

I wish to say a few words on the question of dialogue with Belgrade. Unfortunately, UNMIK has informed us that direct dialogue on practical matters of mutual concern between Belgrade and Pristina has not moved forward since the launching of the dialogue in Vienna on 14 October 2003. In part, this has been due to the position of the Kosovo Government, which, for political reasons, has not publicly endorsed the process, even though preparatory work is ongoing within the Government. UNMIK hopes that this approach will change following the launch of the standards document, which includes dialogue with Belgrade as one of the eight standards on which the process will be judged. Another obstacle has been the Serbian parliamentary election campaign, which has recently resulted in the Coordination Centre for Kosovo not being willing to discuss preparations for the dialogue. We welcome with satisfaction the recent encouraging statements by Foreign Minister Svilanović regarding Belgrade's intention to proceed with the dialogue.

Regarding the Kosovo Protection Corps (KPC), on 3 December the Special Representative ordered the suspension of 12 KPC members for an initial period of six months, as a result of a joint KFOR and UNMIK inquiry regarding allegations of those members' association with organized crime, abuse of their functions and other illegal activities. The investigation was launched after the bombing of a railroad bridge in northern Kosovo on 12 April 2003. A police investigation is being carried out in order to determine whether the grounds exist for dismissal or for criminal prosecution of these KPC members. The KPC leadership, as well as several Kosovo Albanian leaders, initially resisted the decision. In the end, the decision was accepted due to the resolute stand by the Special Representative and the KFOR Commander, and to interventions by the Kosovo Prime Minister.

In an unrelated incident in October, the head of the KPC was arrested in Slovenia under a year-old warrant against him issued by a parallel court operating in Nis, in southern Serbia. He was released following intervention by the Special Representative, who informed the Slovenian authorities of the invalidity of the arrest warrant handed down by this parallel court.

The Kosovo Protection Corps has made progress in meeting standards. The organization has also continued to improve the quality of its work within the mandated function of a civil emergency agency, training more members and fulfilling planned tasks in a professional manner. The Kosovo Protection Corps has intervened in emergencies ranging from forest fires to floods. Outreach in non-majority communities has continued. The Kosovo Protection Corps has provided assistance to those communities in the area of medical care, the provision of fuel and firewood and construction lumber and the construction of fire stations and water-supply lines. However, lack of funding for equipment and training may hinder further progress in that type of action. Non-majority members of the KPC now represent five per cent of the KPC membership. At the same time, supervision and ongoing intervention by UNMIK, as well as KFOR day-to-day supervision on the ground, remain necessary, particularly regarding serious allegations of misconduct, through ongoing investigation and effective action.

In conclusion, I wish to highlight the fact that the achievement of the eight standards remains a prerequisite for the start of a political process leading to the determination of Kosovo's future status. During the entire process, UNMIK will remain very active and in the lead on the ground in order to continue the necessary momentum, while at the same time safeguarding the authority given to it by the Council under resolution 1244 (1999) and continuing to exercise its reserved responsibilities fully and effectively. UNMIK will also continue to monitor, attentively observe and, when necessary, intervene, to ensure the compliance of the Provisional Institutions and municipalities with resolution 1244 (1999), the Constitutional Framework and the other laws in force in Kosovo.

We count on the Council's continued support for consistent implementation of the "standards before status" policy based on resolution 1244 (1999). The support of the Council and key Member States for UNMIK will be essential for the full implementation of resolution 1244 (1999), including within the framework of the initiative for implementing the review process I described in my briefing, in order to structure the way towards launching the political process to determine Kosovo's future status.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): First, the Russian delegation welcomes the fact that today's meeting of the Security Council is being chaired by the Minister for Foreign Affairs of Bulgaria, Mr. Solomon Passy. Your participation, Mr. Minister, in this meeting underlines the importance of the question before the Council.

We would like to express our appreciation to Under-Secretary-General Guéhenno for his thorough briefing on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) and on the situation in Kosovo and the region.

An important step in the settlement process in Kosovo is the establishment of a mechanism monitoring compliance with internationally recognized standards in Kosovo, on the basis of the principle of "standards before status" and under the Security Council's comprehensive political monitoring.

The Special Representative of the Secretary-General for Kosovo, Mr. Holkeri, has issued a document on standards for Kosovo which establishes a set of criteria for assessing the region's movement towards establishing a multi-ethnic democratic society in which human rights are equally guaranteed for all, in particular the rights of the members of all Kosovo communities of all ethnic origins with respect to security, mobility and return to homeland areas.

In that regard, we are greatly perplexed by the removal, under pressure by Kosovo Albanian leaders, of information from that text: the removal of the preamble, which contains important basic provisions, including references to resolution 1244 (1999), the Constitutional Framework and applicable law in the region. That approach is hardly in keeping with the international community's objectives in Kosovo.

We believe that the region must carry out significant work to achieve the standards set by the international community. In spite of some progress, a great number of important challenges are still far from being resolved. Key requirements not being fulfilled relate to the status of non-Albanian residents of Kosovo and the return of refugees and internally displaced persons. Reliable security does not exist equally for the entire population of the region. There is a lack of equality in fundamental rights and freedoms, including the right to equal employment opportunities. There is inadequate representation of minorities, particularly Serbs, in the agencies of the region's Provisional Institutions.

Despite the general decline in crime levels, as noted in the most recent monthly report of the Kosovo Force, there are still serious, clearly ethnically-motivated incidents of violence. We condemn all acts of violence, especially those with ethnic overtones. We would like to convey our condolences with respect to the incident that occurred in northern Mitrovica. As well, we believe it is appropriate to draw the Council's attention to the particular responsibility of the leaders and the authorities for preventing situations in which, given the elevated tensions and the particular sensitivity of the parties, such acts could provoke uncontrolled reactions, with unforeseeable consequences.

The statements by the leaders of the regional Provisional Institutions on their commitment to the multi-ethnicity of the area must be followed by real actions. Unfortunately, we see that in practice, the interests of minorities still often go ignored. Like other members of the Council, we are convinced that without a radical improvement in the situation with respect to these matters, the process of building a democratic and multi-ethnic society in Kosovo will continue to fail to gain traction.

A substantive element of the standards for Kosovo is the establishment of a direct dialogue between Belgrade and Pristina on technical matters of common concern. We hope that talks in the working groups will begin in the very near future. We cannot help but be concerned by the attempts of the leadership of the regional Provisional Institutions to question the powers of the Special Representative of the Secretary-General, as was the case in particular on the question of applicable law in Kosovo. We believe that such actions demonstrate a lack of willingness on the part of the Kosovo Albanian leaders to comply with the

standards set by the international community in Kosovo.

We reaffirm our support for the work of the head of UNMIK, Mr. Holkeri. We believe there is need for full compliance with resolution 1244 (1999) on the basis of the agreed principle of "standards before status". The launching of a political process designed to determine the final status of Kosovo must entail compliance with the standards established by the international community and the building in the region of a democratic, multi-ethnic society. Based on that, Russia will continue to participate actively in collective efforts in the search for a just, balanced and lasting solution to the question of Kosovo.

The President: I thank the representative of the Russian Federation for his kind words addressed to me.

Mr. Pujalte (Mexico) (*spoke in Spanish*): First, on behalf of my delegation, I warmly welcome you, Sir, to the Chamber. It is an honour for my country to take part in a Security Council meeting presided over by you. I also thank Under-Secretary-General Guéhenno for his briefing and for the information he has just given the Council on the situation in Kosovo.

Without doubt, the document on standards for Kosovo presented last week constitutes a great opportunity for the future of Kosovo. But it also sets out a number of challenges. Among those challenges are the expectations surely generated by the very mention of a tentative date for a broad assessment of the degree of compliance with those standards.

As has been rightly indicated, the document is a critical road map that should be followed by the Provisional Institutions of Self-Government and Kosovo society as a whole in the next 18 months, before the subject of status can be discussed. The implementation plan for the policy of "standards before status", to be presented in the near future by the Special Representative of the Secretary-General for Kosovo, Mr. Harri Holkeri, will surely be a useful supplement to that document.

The document on standards describes a society that little resembles the current reality in Kosovo. Therefore, the Provisional Institutions of Self-Government and Kosovo society as a whole will have to make great efforts to achieve the eight established standards.

Although in the past two years we have witnessed some significant progress in the process of normalizing life in Kosovo, a series of factors persist that are hindering its transformation into a multi-ethnic, tolerant, democratic and prosperous society in which the rule of law prevails. The transfer of non-reserved responsibilities to the Provisional Institutions of Self-Government has proceeded very swiftly, as has legislative work. However, there is a certain tendency among public officials and deputies to issue statements or to take decisions that exceed their sphere of competence, in contradiction to Security Council resolution 1244 (1999) and the Constitutional Framework itself. The most recent example was the Assembly's decision to revoke all laws promulgated by Belgrade after 22 March 1989 concerning Kosovo. It is important that the process of building the administrative structure and political institutions take place in conformity with the resolution and the Constitutional Framework.

With regard to relations with Belgrade, the beginning of direct dialogue on practical issues in October 2003 was a step in the right direction. It is essential that that dialogue continue and be intensified.

As we have previously indicated, the parallel structures continue to be a significant obstacle to the normalization of life in Kosovo. It has not escaped our notice that that is one of the points addressed in the document "Standards for Kosovo". It is important that Belgrade stop supporting the existence of those structures. But, at the same time, conditions need to be created so that the Serbian minority will trust the Provisional Institutions of Self-Government and the United Nations Interim Administration Mission in Kosovo (UNMIK).

The return of refugees and internally displaced persons belonging to minority groups, particularly Serbs, is an essential condition for Kosovo's development. Obviously, the number of displaced persons who have chosen to return to their places of origin continues to be quite limited compared with that of those who remain abroad. One cannot speak of a process of sustainable return to Kosovo unless the security situation and freedom of movement improves for the general population, but also — and in particular — for minorities. The situation of the economy and the work force is also an essential condition for the return of displaced persons, but even that will depend to a great extent on whether those who

choose to return feel that they can travel to any part of Kosovo in conditions of security.

The establishment of the rule of law is also essential for Kosovo's future. In that context, it is important that those responsible for a series of unsolved crimes — particularly those committed solely for ethnic reasons — be investigated, found and punished. In that connection, the suspension of the 12 members of the Kosovo Protection Corps — to whom the Under-Secretary-General referred — while they are being investigated for possible responsibility for the attack against a railway bridge last April and for other reasons, is a correct decision. We hope that it will bear fruit.

Just as the Albanian majority and their leaders have the principal responsibility to build a tolerant society, the Serbian minority and their leaders must participate more in Kosovo's public and political life. Incidents such as the one that occurred in northern Mitrovica on 6 December, in which a mob attacked a World Bank delegation shortly after Prime Minister Bajram Rexhepi had visited the place where the delegation was, do not benefit the Serbian minority; on the contrary, they jeopardize it.

Finally, as this is the last time that my delegation will participate as a member of the Security Council in a meeting on Kosovo, I wish to reaffirm my Government's support Mr. Holkeri and the members of UNMIK for the work they are doing.

Mr. Negroponte (United States of America): We are delighted, Sir, that you are presiding over our Council meeting today. We also want to thank Under-Secretary-General Guéhenno for his comprehensive briefing.

We were pleased to join the Council last Friday in supporting the presidential statement welcoming Special Representative Holkeri's "Standards for Kosovo" paper and a review mechanism to assess Kosovo's progress towards meeting the eight internationally endorsed standards. We look forward to the rapid completion of the implementation plan, which will provide specific and measurable benchmarks and indicators for achieving the standards.

It is important to stress that only when substantial progress towards meeting the standards has been made — as outlined in the standards for Kosovo and the implementation plan — can the international community begin to address the question of Kosovo's future status. If the comprehensive review called for by mid-2005 determines that Kosovo's progress in achieving the standards is insufficient, then another review date will be set. The international community stands ready to assist Kosovo in that endeavour.

In order to keep the focus on achieving the standards, there should be no decision on process or outcomes of status discussions until the standards are met. Such a transparent approach to handling Kosovo's future status will give an incentive to Kosovo to make real progress on the standards. At the same time, it will guarantee that the outcome of Kosovo's future status can be determined only in the overall context of resolution 1244 (1999).

It is important now for Kosovo's Provisional Institutions of Self-Government to focus on achieving the standards. As a first step, we call upon all parties to resume a direct dialogue between Belgrade and Pristina. Such a dialogue is one of the eight standards, and it can provide tangible benefits for citizens of both Kosovo and Serbia in the areas of transportation, energy, missing persons and internally displaced people and refugee returns.

Previous Council meetings on Kosovo have focused on the series of violent attacks that occurred in late summer, which targeted primarily members of the minority Serb community and law enforcement officials of the United Nations Interim Administration Mission in Kosovo (UNMIK). We are troubled that, yet again, we must address this issue. The deadly 24 November 2003 attack against three Kosovo police service officers, and the recent attack in North Mitrovica, against Prime Minister Rexhepi and international representatives, are the latest examples of violence that endangers the future of Kosovo. We call upon all in Kosovo to refrain from violence. We reiterate the need to work within the legitimate institutions of Kosovo to address political grievances.

We call upon law enforcement officials in Kosovo to redouble their efforts to find the perpetrators of these violent incidents. In particular, we also call upon the citizens of Kosovo to cooperate with the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Police Service in their investigations of these crimes. To meet the standards and to ensure respect for the rule of law, substantial progress must be made in solving murders and assaults

against members of ethnic minorities and law enforcement officials.

Although Kosovo has made notable progress in achieving a multi-ethnic democracy, much remains to be done. The United States remains committed to standards before status, and looks forward to assisting UNMIK and the Provisional Institutions of Self-Government in their effort to implement Security Council resolution 1244 (1999).

The President: I thank the representative of the United States for his kind words. I apologize to both the representative of France and the representative of the United States for changing their places in my speakers list. I ask for your apology. I will now resume the normal order of speakers. I give the floor to the representative of France.

Mr. De La Sablière (France) (*spoke in French*): First of all, I would like to tell you, Sir, how pleased we are to see you chairing the Council for this important discussion. I thank Mr. Guéhenno for his briefing which accurately described recent developments in Kosovo. We associate ourselves with the statement that will be made by the presidency of the European Union and, at the same time, I would like to emphasize three points.

First, I would like to note the importance of the initiative that was announced on 5 November 2003, to break the impasse concerning the issue of Kosovo. That initiative, as the Security Council noted in its presidential statement dated 12 December 2003, is fully along the lines of the framework established by resolution 1244 (1999) and the policy line that the international community has set forth, namely, the principle of standards before status.

France is pleased that this initiative has been favourably received in Pristina and Belgrade. That positive reaction has created a new impetus which should allow us, at the right time, to chart out a final solution for Kosovo. At this time, we must not lose time, and we must make certain that this initiative proceeds exactly as the Council has decided. A first step was made last week by the Special Representative of the Secretary-General who issued a document entitled "Standards for Kosovo" (UNMIK/PR/1078).

A second step which is just as important, must be taken quickly, and we hope that this will be done before the end of January 2004 — the adoption of an implementation plan for those standards, for the period up to mid-2005. That plan needs to be established by the Special Representative for the Secretary-General, in close consultation with the Provisional Institutions of Self-Government in Kosovo, which will be responsible for its implementation. However, we would like that consultation to be extended, as needed, to other parties concerned — including the Belgrade authorities, which must be in a position to express their viewpoint in those areas where they would have responsibility — but without delaying or blocking the process of adopting the implementation plan.

We also hope that the States or institutions that have a specific responsibility in Kosovo, including the European Union, would be involved by the Special Representative of the Secretary-General in preparing that important document, which will serve as the basis, to a large extent, for the evaluation in mid-2005, that we will make of the progress made in the implementation of the Standards for Kosovo.

Secondly, I would like to reiterate our full support for the Special Representative of the Secretary-General, Mr. Holkeri, who now, more than ever, will have a critical role to play in the upcoming months, both for seeing to the implementation of the standards for Kosovo, and to provide, on a regular basis, at least every quarter, an assessment of progress made. Mr. Holkeri will need to take difficult decisions. His presence on the ground, as much as possible, will be necessary in order for the implementation plan to be established and implemented without delay. In those circumstances, it is equally important that the Special Representative of the Secretary-General, as head of UNMIK, redouble his efforts in the daily management of other affairs relating to Kosovo. We fully trust him to do so and we call on all parties to cooperate with him.

In conclusion, let me be certain no ambiguity exists concerning what the international community expects from the Provisional Institutions of Self-Government in Kosovo during the 18-month period before us. The implementation of Standards for Kosovo is based on those authorities and only on those authorities.

We are pleased they have reacted positively towards the initiative that was announced in November 2003. Their constructive attitude at that time was a step in the direction set by the United Nations. On the other

hand, we clearly regret the decision they took on the 11 December 2003, in an effort to unilaterally put an end to one portion of the regime of applicable law in Kosovo. As was stated by the Special Representative of the Secretary-General, that vote of the Parliament of Kosovo was taken in vain and had no effect. We regret this kind of counter-productive action which is contrary to the decisions of the international community and which can only complicate the situation.

We remind the Provisional Institutions of Self-Government in Kosovo that we are prepared to support them, as they advance in implementing the Standards. We would also point out to them, that for the good of Kosovo and all its inhabitants, there must be strict compliance with the rules established by the Security Council. That is the sine qua non and the absolute precondition for any progress towards a final solution.

We would also remind them, as well as the Belgrade authorities, that a direct dialogue on technical questions of common concern must be rapidly engaged in and must be conducted by both sides in good faith.

The President: I thank the representative of France for his kind words.

Mr. Atieh (Syria) (*spoke in Arabic*): I would like, at the outset, to express my pleasure to see you assuming the presidency of this meeting of the Security Council, because of the importance of the issue under consideration today and its regional and international implications. We would like to extend our thanks to Mr. Guéhenno for his comprehensive and detailed briefing on the recent developments in Kosovo.

The review mechanism launched on 5 November on the initiative of the Contact Group on Kosovo and under the auspices of the Special Representative of the Secretary-General, Mr. Holkeri, is an effort that deserves all our support and follow-up because it gives a new momentum to the implementation of the "standards before status" policy that was established by the Security Council in its resolution 1244 (1999). That initiative, as I mentioned earlier, requires international support, which the Security Council expressed in the Presidential Statement dated 12 December 2003 (S/PRST/2003/26). It also requires direct dialogue between the parties concerned, particularly between Pristina and Belgrade, because of the importance of that dialogue in ensuring that the political process can move forward towards an agreement on practical issues of concern to the two parties.

We hope that, between the present time and the middle of 2005, we can set a time for the overall review of the progress made by the Provisional Institutions of Self-Government in Kosovo, which will assess developments in all areas, particularly with regard to the eight standard benchmarks, so that the Council can determine the final status of Kosovo in the future.

We support the transfer of unentrusted responsibilities outlined in chapter five of the Constitutional Framework to the Provisional Institutions of Self-Government in Kosovo in a gradual and organized manner, and in cooperation with the Provisional Institutions of Self-Government. We look forward to establishing a harmonious, tolerant, multi-ethnic society in Kosovo and we believe that that requires consolidating the rule of law, improving the security situation, promoting the rights of minorities and returnees and supporting economic development, in addition to combating organized crime and prohibiting trafficking in weapons and narcotics. All of that will help to create the appropriate climate to encourage internally displaced persons and refugees to return to their homes and contribute to the political and economic reconstruction of Kosovo.

In conclusion, and since this is the last time my delegation will participate in discussions on the issue of Kosovo in the Security Council, I would like to express the Syrian Arab Republic's appreciation for the efforts made by the Special Representative of the Secretary-General in Kosovo and his staff in working to bring stability and security to that region.

Mr. Zoumanigui (Guinea) (*spoke in French*): First, on behalf of my delegation, I would like to welcome you, Mr. President, and say how pleased we are that you are presiding over our work on the question before us. I would also like to thank Mr. Guéhenno for his briefing, which sheds new light on recent developments in Kosovo.

The constant attention the Council has dedicated to the question of Kosovo emanates from its will and determination to make a contribution to the implementation of resolution 1244 (1999).

At the Council's meeting on 21 January 2002, my delegation welcomed the progress made in

implementing that resolution over the course of the prior year. That progress included, among other things: the promulgation of the Constitutional Framework; the signing, on 5 November 2001, of a common document between the Government of the former Federal Republic of Yugoslavia and the United Nations Interim Administration Mission in Kosovo (UNMIK); the successful legislative elections held on 17 November 2001; and the establishment, on 10 December 2001, of the Kosovo Assembly, along with the election of the Assembly's President.

Two years later, it should be noted that that progress has been followed up by other, equally important, advances, even though serious concerns still remain, including the effective establishment of political and administrative institutions in Kosovo; high-level meetings between UNMIK representatives and the Belgrade authorities, particularly the one held on 21 January 2002 on the question of missing, detained or repatriated persons; the conversion of transitional departments into provisional self-government ministries; the expansion of the UNMIK administration into the northern part of Mitrovica; the gradual transfer of powers to the Provisional Institutions of Self-Government; and the holding of municipal elections.

My delegation is pleased with the progress made so far and we consider that it is now up to all the participants and all sectors in Kosovo to come together and consolidate their efforts in a spirit of tolerance and unity, so that they can assume their responsibilities in the search for adequate solutions to the issues that remain unresolved.

A recent evaluation of the situation in Kosovo leads my delegation to make the following observations. The leaders of the democratic Provisional Institutions of Self-Government must act in strict compliance with the powers given to them under the Constitutional Framework. In that regard, we support the position taken by Mr. Holkeri following the Assembly's 11 September 2003 decision to abrogate all laws relative to Kosovo enacted in Yugoslavia and Serbia after 22 March 1989. Kosovar leaders have to make greater efforts towards reconciliation, avoiding any action that might deepen existing divisions, while cooperating with UNMIK.

Particular attention should be paid to the media so that they can function to increase public awareness among the various communities. Developing professional and independent media that will be better able to assume their responsibilities will require significant assistance.

In regard to the establishment of the rule of law, the various murders that have occurred recently and the attack on a World Bank delegation in the northern sector of Mitrovica on 6 December demonstrate that security continues to be an issue of real concern. My delegation appreciates the special security measures taken by the multinational forces and the local units, following information received concerning possible attacks against international organizations in Kosovo. In that regard, we would like to emphasize once again the need to consolidate existing mechanisms in order to improve the operation of the police services, the justice system and prisons, in order to facilitate equal access to justice and to combat impunity.

On the question of freedom of movement and maintaining the cultural heritage of each community, the Provisional Institutions of Self-Government should focus their efforts on developing a culture of mutual acceptance among the different communities.

In addition, the appointment of Mr. Nenad Radosavljevic as a Senior Adviser to UNMIK on repatriation and effective integration of ethnic minorities and the setting up of a special group to speed up the return of refugees and facilitate their reintegration and the restitution of their property, are welcome developments. Now we need to support those mechanisms by giving them the necessary resources. The input of the international community, in particular the donor community, will be extremely useful in that regard.

The same applies for housing and real estate programmes. In that connection, the efforts of UNMIK and the United Nations Development Programme, which have facilitated the start of construction on 50 homes, should also be supported.

With respect to the economy, we must strengthen the current legislative and administrative framework, focus more attention on job creation and on the regional dimension of economic exchanges, and define the appropriate mechanisms to that end. My delegation is pleased with the establishment by Mr. Holkeri of a special group tasked with detecting possible fraudulent and corrupt activities in UNMIK and in institutions that operate on public money, and we hope that the work of

this group will provide definitive results. With respect to the dialogue between Pristina and Belgrade, the different parties must do some bold thinking to continue to look for peaceful solutions to problems of common concern for the benefit of their people and for the region.

With respect to the Kosovo Protection Corps, my delegation continues to emphasize that they must maintain their legal status to avoid any ambiguity. In this respect, we would encourage the actions taken by UNMIK and the Kosovo Force to better structure and better operate this institution.

Settling the question of Kosovo requires the international community, and particularly the Kosovars, to better assume their responsibilities in implementing resolution 1244 (1999). My delegation is pleased with the launching on 5 November 2003, in Belgrade and Pristina, of a review mechanism, which gives new impetus to implementation of standards before status, and we therefore support the statement made last Friday on this subject by the President of the Security Council. We are of the view that the implementation plan that Mr. Holkeri will be working on in close collaboration with the Provisional Institutions of Self-Government and, if needed, with other interested parties, will allow us to assess progress made by the Institutions in satisfying these standards.

It is our hope that, based on progress made during periodic assessments, that the comprehensive review in 2005 of progress made will allow us to chart future strategies to resolve the Kosovo question, particularly with respect to final status determination.

And finally, my delegation remains convinced that bringing about lasting peace in Kosovo depends on the ongoing commitment of all the Kosovars to ignore their differences and their senseless quarrels and to focus on questions of common concern so as to promote the general welfare. Only that way can the efforts of the international community in the province succeed.

Mr. Akram (Pakistan): My delegation wishes to welcome the Presidency of this meeting of the Council on Kosovo by the Foreign Minister of Bulgaria. It is also a great pleasure to see you again, Mr. Deputy Minister, in the Council. We would also wish to welcome Mr. Guéhenno to the Council and thank him for his detailed briefing on the situation in Kosovo.

I would like to restrict my comments today to the "Standards for Kosovo" document introduced last week by Special Representative Holkeri in Pristina.

Pakistan's reservations on the standards before status issue are well known. This policy was devised only for Kosovo and should not set a precedent for other situations in similar circumstances, either past, present or future. Moreover, the standards that have been set out in the document should be implemented in a manner that serves the broader interests of the people of Kosovo. Standards should not become an excuse to avoid addressing the status question, which is the underlying problem in Kosovo.

Having said that, we have nevertheless joined in welcoming the Standards document. We will study the work plan being devised by the United Nations Interim Administration in Kosovo (UNMIK) to implement its provisions. We take note of the statement of the Prime Minister of Kosovo, Bajram Rexhepi, who said

> "Each sentence in the *Standards* document is a challenge in itself, but we look forward to working together to overcome all of these challenges".

In devising the work plan, we must ensure that its objectives are achievable and the benchmarks realistic. More importantly, we must guard against the possibility of this process being derailed by the intransigence of one or the other party.

While we attach high importance to all the eight standards set out in the document, we wish to emphasize that among its most crucial issues are those related to the upholding of the rule of law, freedom of movement, use of languages, sustainable returns of refugees and internally displaced persons, and the protection of the rights of all communities in Kosovo. Also important is the socio-economic recovery of Kosovo, which the international community must continue to support generously.

Last but not least is the important issue of a dialogue between Belgrade and Pristina on practical matters. This process needs to be strengthened and regularized. We regard this as a useful mechanism for confidence-building, which could eventually facilitate addressing the more delicate issue of status.

Pakistan hopes that satisfactory progress will be made in achieving the objectives of the Standards document by mid-2005, thus opening the way for progress on the issue of status. The international

community and the Security Council must begin to give early consideration to the eventual but inevitable solution to the status issue. Such a solution would have to be based on the wishes of the people of Kosovo, in accordance with the United Nations Charter's principle of self-determination, and, at the same time, respond to the interests and welfare of all the people of Kosovo.

In conclusion, I wish to commend Mr. Holkeri and UNMIK for their achievements thus far and assure them of Pakistan's continued support for their efforts to establish peace, stability, good governance and self-governance in Kosovo.

Mr. Gaspar Martins (Angola): I would like to start by saying that we are very honoured that both you, Deputy Minister, and Minister Solomon Passy could come to the Council to preside over this important meeting.

This adds to the prestige of the Council, and of course, to that of the Bulgarian Presidency, and we are very, very pleased to see this. We also thank Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, for his comprehensive briefing on Kosovo, a subject which has in recent years been at the centre of attention and concern in the Security Council and in the international community.

My delegation commends the work of the Special Representative of the Secretary-General, Mr. Holkeri, since his assignment as head of the United Nations Interim Administration Mission in Kosovo (UNMIK), and we reiterate our strong support to him in the challenging tasks ahead aimed at achieving the full implementation of Security Council resolution 1244 (1999).

My delegation welcomes UNMIK's strategy, "Standards for Kosovo", and sees it as a real key and a prerequisite for achieving as quickly as possible the full implementation of resolution 1244 (1999) and defining the final status of the region. This set of eight standards constitutes a coherent and comprehensive package, and its implementation has to be equally coherent to be satisfactory. We are confident that this new instrument will lead to a successful outcome of the efforts deployed by the United Nations and by the international community for the final resolution of the Kosovo issue.

We fully share the objectives outlined by the "Standards for Kosovo" policy concerning the functioning of democratic institutions, the rule of law, freedom of movement, sustainable returns and the rights of communities in the spheres of economic development, property rights, dialogue and the Kosovo Protection Corps. The objectives set by the policy ensuring that the Provisional Institutions of Self-Government effectively represent the interests of all Kosovo, including the ethnic minorities, must be effectively enforced, as must their responsibilities, including the promotion and application of just criteria in the engagement of personnel for Kosovo's public administration. In this regard, we support a comprehensive and periodic review of the progress achieved by Kosovo's Provisional Institutions of Self-Government.

It is our hope that the resolve of the Security Council and of UNMIK, outlined in the strategy, will produce tangible results in guaranteeing full respect for the rule of law and for human and minority rights, including the full participation of the Serb minority at the central and local levels of Government. The rule of law is a paramount element of this strategy and should be enforced by the effective operation of the police, and the judicial and penal systems, based on the legal framework. It is necessary that all of those aspects of law enforcement be improved in order to promote democratic freedoms and the return of refugees and displaced persons, under conditions of real security and freedom of movement for all citizens of Kosovo. We would like to underline the crucial role played by UNMIK's police in building the capacity of Kosovo police, enabling it to fight more effectively against the plagues that affect the region: ethnic violence, terrorism and organized crime.

My delegation strongly hopes that constructive dialogue and confidence-building between Belgrade and Pristina will be strengthened, leading to concrete agreements on the various issues that Kosovo is facing. The solution of these issues, which impact directly on people's lives, represents an essential step towards the attainment of stability, prosperity and truly functioning multi-ethnic, multi-cultural and democratic institutions in Kosovo.

The President: I thank the representative of Angola for his kind words of support for the presidency.

Mr. Arias (Spain) (*spoke in Spanish*): I am pleased to see such an important presence in the

delegation of Bulgaria here, with the Minister for Foreign Affairs presiding over this important meeting. We would also like to welcome and express our thanks to Mr. Guéhenno for his briefing.

Spain fully endorses the statement that will be made by the Permanent Representative of Italy, on behalf of the European Union. My country has unreservedly supported the "standards before status" policy, which it feels is fully valid. In this regard, we believe that the initiative of the Special Representative of the Secretary-General, Mr. Holkeri, reflected in the document "Standards for Kosovo", is a reaffirmation of this policy and a step forward towards full implementation of resolution 1244 (1999). The establishment of guiding objectives for compliance with the standards set forth in this document through an implementation plan, which includes impartial, measurable and precise criteria, is the necessary complement for making this "standards before status" policy a tangible reality.

Full compliance with the provisions of both documents is a necessary precondition for us to begin consideration of the question of the status of Kosovo. The objective set forth by the international community for Kosovo is none other than that of ensuring democratization and stabilization of the province and consolidating a multi-ethnic society that guarantees fundamental rights and freedoms for its citizens, with values compatible with those of Europe. This is the nature of the "standards before status" policy, the objective of resolution 1244 (1999) and the general European strategy for the region. Ultimately, for Spain, the review process in 2005 — or subsequent processes of review — should consider in a comprehensive manner whether the Provisional Institutions and the level of economic development in Kosovo have attained those standards.

Therefore, it is not so much a question of timetable but rather one of the emphasis to be placed on the substantive elements of the policy. The European Union has a general strategy for the five States of the region — a process of stabilization and association. Such a global and balanced approach implies that Kosovo should apply the same standards and have the same institutions and legislation as its neighbours. Thus, the institutions of Kosovo should be the first to be interested in establishing sustained, substantive and direct dialogue with Belgrade, which should effect the same reforms as Pristina.

The President: I thank the Ambassador of Spain for his kind words addressed to me.

Mr. Tidjani (Cameroon) (*spoke in French*): Mr. President, as other delegations before me, I would like to convey to you how pleased Cameroon is to see you personally here this morning to chair this meeting. Your presence vividly demonstrates the importance that your country attaches to the development of the situation in Kosovo in particular and in the Balkans region in general.

I would also like to thank Mr. Guéhenno for his very useful briefing, which highlights the efforts being conducted by the Secretary-General and his Special Representative to implement Security Council resolution 1244 (1999) on Kosovo, as well as the results garnered to date.

We would also like to thank all those men and women who, through their dedication and commitment, are providing ongoing and steadfast support to the work of Mr. Harri Holkeri, Special Representative of the Secretary-General and head of the United Nations Interim Administration Mission in Kosovo (UNMIK).

The meeting of the Council held on 30 October to consider the situation in Kosovo revealed the new prospects before the province with regard to the ongoing stabilization process. During the period from July to October 2003, thanks to mediation by UNMIK officials, we witnessed the establishment of direct and concrete cooperation between Belgrade and Pristina in a number of areas. In addition, on 14 October in Vienna, a direct political dialogue at the highest level between the authorities of the two capitals regarding practical issues of common concern took place for the first time. Four expert working groups were established to familiarize themselves with matters related to energy, missing persons, returns, and transport and communications.

In addition, the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) that was presented to the Council illustrated the great progress that had been made in the functioning of the Provisional Institutions of Self-Government. The information provided today seems to confirm the great hopes that arose at the meeting held on 30 October. On 5 November 2003, on the initiative of the Contact Group under the auspices of the Special Representative of the Secretary-General, a mechanism was launched in Pristina and Belgrade to monitor the

implementation of the policy of standards before status. And, on 10 December 2003, the Special Representative of the Secretary-General issued a declaration on the standards applicable to Kosovo. The Security Council was pleased to note that in the presidential statement issued in document S/PRST/2003/26, of 12 December 2003.

At this juncture, it is the view of my delegation that one of the most urgent challenges before the Special Representative of the Secretary-General is to develop an implementation plan for those standards, given the crucial impact they will have on the process that the Council must carry out towards a final and appropriate resolution of the issue of Kosovo. Given the importance of that plan, my delegation believes that its drafting, and its finalization in particular, must take place on the basis of consensus among all the parties, in order that all obstacles to the implementation of the standards may be overcome.

With regard to dealing with the issue of Kosovo, the Security Council is often reproached for its approach that seems to defer consideration of the province's final status and avoid the establishment of a timetable for doing so. My delegation believes that the great progress recently made provides eloquent testimony with regard to the policy of standards before status, to which Cameroon has always demonstrated its commitment. The satisfactory implementation of the eight standards — namely, the functioning of democratic institutions, the establishment of a State based on the rule of law, the right to free movement, the return and reintegration of displaced persons, the establishment of a market economy based on a stable foundation, the recognition and re-establishment of the right to property, a candid and direct dialogue between the authorities of Belgrade and Pristina and, lastly, the training and professionalization of the Kosovo Protection Corps — continues to be essential to an orderly debate on the final status of Kosovo. How could one imagine reversing the process in Kosovo, where today we continue to see a rise in targeted acts of violence against the Serb minority community and UNMIK staff, including the recent attack on the World Bank delegation at Mitrovica? How could we imagine a Kosovo in which extremists on all sides utilize mafia-like methods to foment intolerance, hatred and fear, and where freedom of movement remains a luxury for some people, and the right to property even more so?

The direct dialogue between Pristina and Belgrade is gradually taking place. The operationalization of the Provisional Institutions of Self-Government continues apace, and those continue to function better every day. Combating corruption and organized crime has had undeniable success in Kosovo. The economy, which for a long time was under ground, is resurfacing on the solid and reliable foundations of a market economy. The core of a judicial system for a State based on the rule of law is being established with the assistance of the United Nations. And the training of the Kosovo Police Service is almost completed. With all that progress, which we owe to the concerted efforts of all the members of the international community and to Kosovars themselves, my delegation is inclined to be optimistic about the future of Kosovo — a Kosovo that is multi-ethnic, multicultural, reconciled unto itself and prosperous, in which peace, justice and social harmony reign through the force of law rather than the law of force. Such a Kosovo is no longer just a hope, it is within our grasp.

We therefore launch an appeal to the parties concerned to reaffirm their commitment to the process under way and resolutely engage themselves, without ulterior motives. We express our appreciation to the Secretary-General and his Special Representative, UNMIK, KFOR, the European Union and all other international organizations acting in Kosovo for the work they are doing pursuant to the ideals and principles of the Charter of the United Nations in order to return peace and security to Kosovo and the region. As a Member of the United Nations, Cameroon will, through its contingent, continue to take part in those joint efforts. We will continue to make our contribution to the search for a solution to the situation in Kosovo on the basis of the relevant resolutions of the Security Council.

In conclusion, I would like to thank all the men and women who are daily risking their lives to return peace and social harmony to Kosovo.

The President: I thank the representative of Cameroon for his kind words addressed to me.

Mr. Maquieira (Chile) (*spoke in Spanish*): I would first of all like to express our gratitude to the Foreign Minister for being with us today. I also wish to express my gratitude for the holding of this meeting of the Security Council on the situation in Kosovo and Serbia and Montenegro. We would also like to thank

Under-Secretary-General Jean-Marie Guéhenno for his comprehensive briefing, which has adequately brought us up to date on the situation on the ground during the past few months. As on other occasions, we would also like to reiterate our support for the Special Representative of the Secretary-General, Mr. Harri Holkeri, as well as all the staff of the United Nations Interim Administration Mission in Kosovo (UNMIK). We ask the Provisional Institutions of Self-Government in Kosovo and all interested parties to cooperate fully with the Special Representative.

Without tangible progress on the eight standards, UNMIK's mandate will not be fulfilled in accordance with resolution 1244 (1999).

That is why, in our view, in November and December, two significant events for Kosovo took place. First, we saw fresh momentum in the implementation of the "standards before status" policy through the initiative of the review mechanism, submitted on 5 November in Pristina and Belgrade on the initiative of the Contact Group and under the auspices of the Special Representative of the Secretary-General. Independent of the circumstances that surrounded its presentation on 10 December, the document on standards for Kosovo led to a great deal of hope in the practical value of that document.

Moreover, we trust that the implementation plan to be submitted by the Special Representative of the Secretary-General will serve as an objective basis for the assessment of the scope, the speed and the sustainability of progress achieved by the Provisional Institutions of Self-Government in meeting the standards.

We agree with the approach of carrying out future reviews. That is why we await the results of the periodic report, and subsequently those of a comprehensive review of the progress achieved by the Provisional Institutions of Self-Government in meeting the standards. Trustworthy proof of positive results will have a key impact on progress towards a process to determine the future status of Kosovo, in accordance with resolution 1244 (1999). We must bear in mind the expectations that this will generate among the parties, which must do everything possible to comply with the standards.

Once again we reiterate that without a significant and sustainable return of internally displaced people and refugees it will be impossible to build a democratic, multi-ethnic society that is capable of integrating all inhabitants of Kosovo without exception.

We support recent measures adopted by the Special Representative of the Secretary-General, Mr. Holkeri, on the investigation into the bombing of the railway bridge on 12 December, and we hope that explanations will be provided in the very near future.

To conclude, in addition to dialogue between Belgrade and Pristina, intensified dialogue between UNMIK and the Kosovo Assembly will certainly contribute to the achievement of positive results, which will ultimately be reflected in the well-being of the population of Kosovo.

The President: I thank the representative of Chile for his kind words addressed to me.

Mr. Pleuger (Germany): I would like, Sir, to welcome your presence in the Chair, which underlines the importance that you attach to this meeting. We would also like to thank Under-Secretary-General Guéhenno for his very concise and comprehensive briefing. From what we have heard, I feel that, in the future as well, Kosovo will require our full attention.

I would like to state at the outset that we fully subscribe to the statement that the Italian presidency of the European Union will shortly make on behalf of the Union.

The document on standards for Kosovo that Mr. Holkeri presented in Pristina last week is another major step forward. Germany very much appreciates the care the United Nations Interim Administration Mission in Kosovo (UNMIK) took in drafting that document and the close consultations it undertook with the Contact Group as it was put into its final form. Working groups that are focused on achieving these standards have begun to meet, and the drafting of the implementation plan is under way. We hope the plan can be finished in the next few weeks, because the momentum created must be maintained or, even better, accelerated if the Provisional Institutions of Self-Government are to achieve what is necessary before the first possible review date, around the middle of 2005.

Germany commends both Pristina and Belgrade for their positive attitude towards the review mechanism and for voicing their acceptance of the underlying rules and the tentative time frame. However, we are disappointed that, despite extensive

consultations between UNMIK and Belgrade, Serbia and Montenegro seems not to support the document on standards for Kosovo for the time being. All sides have much to gain if the blueprint is made into reality and a democratic and tolerant Kosovo that respects the rule of law is created. Only this outcome offers the prospect of economic development and the prospect for the return of refugees to their homes. Only this offers the prospect that members of all ethnic communities can travel wherever they wish without being subjected to humiliation or violence. And most important, only this outcome offers the prospect that the future for both Belgrade and Pristina lies in Europe, rather than in isolation and stagnation.

We strongly supported the European Union (EU) Council decision this month to endorse the standards. The implementation of the standards will be closely linked to the EU association process, and, conversely, obstruction of efforts to meet the standards will surely have serious consequences for aspirations to draw closer to Europe. The immediate priority now, besides finishing the implementation plan, is starting the direct dialogue at the level of expert working groups. It is very disappointing indeed that months after the official launch of the talks between Pristina and Belgrade, groups from both sides, focused on issues such as energy, transportation and returns, have not yet begun to meet. I can only repeat what I have said in previous meetings: in addition to being an essential standard that must be fulfilled, direct dialogue is the best way to build trust between the parties. The approach taken to direct dialogue is one of the earliest indicators on which we and the rest of the international community will judge the sincerity of efforts by Pristina and Belgrade. We strongly urge both parties to ensure that the groups begin meeting in the next few weeks.

Another area where we would like to see rapid progress is privatization. Privatization is so important to economic development in Kosovo. We understand that the vast majority of outstanding privatization contracts could be approved, and that another round of privatization tenders could be organized, without great difficulty. Under those circumstances, we urge the Provisional Institutions of Self-Government and the Kosovo Trust Agency board to certify and transfer to private owners, as soon as possible, all those socially-owned enterprises that have been duly screened by the Kosovo Trust Agency.

In my remarks to the Council in October (see S/PV.4853), I stressed the importance Germany places on political decentralization in Kosovo. We were pleased that the Council of Europe presented proposals last month that can serve as a good basis to begin work on this issue. As UNMIK works these proposals into a concrete plan, it will have to focus on the special factors that make decentralization so difficult and yet so important in Kosovo.

The task will be to accommodate the needs of the various ethnic communities while not creating further institutional barriers to reconciliation. Since effective decentralization will be so important to achieving the standards, it is essential to implement it soon.

Next year will be a critical one for Kosovo. Pristina, Belgrade and, above all, the people of Kosovo, have much to gain if the standards are achieved quickly.

The President: I thank the representative of Germany for his kind words addressed to me.

Mr. Cheng Jingye (China) (*spoke in Chinese*): At the outset, I would like to express our pleasure at seeing you, Sir, preside over today's meeting. I also wish to thank Under-Secretary-General Guéhenno for his briefing.

This will be the year's last meeting of the Council on the question of Kosovo. In the past year, some positive progress has been made on the Kosovo question. What merits special mention is that in October, through the efforts and impetus of the Special Representative of the Secretary-General and the parties concerned, Belgrade and Pristina held their first direct dialogue. In addition, to facilitate implementation of the "standards before status" policy, the Special Representative of the Secretary-General recently released the document on standards for Kosovo, which was subsequently endorsed by the Security Council in a presidential statement (S/PRST/2003/26). We welcome those positive developments and believe they are of crucial significance for advancing the Kosovo political process. We look forward to the early formulation of a concrete, specific implementation plan by the United Nations Interim Administration Mission in Kosovo (UNMIK), in consultation with the bodies concerned.

However, we also realize that Kosovo is presently faced with multiple difficulties and challenges. There is still a high rate of violent crime. Security for ethnic

minorities and their freedom of movement have not yet been effectively ensured. The return of refugees remains at a trickle. The comprehensive settlement of the Kosovo question is therefore a formidable challenge that requires a redoubling of efforts by the parties concerned and the continued attention and assistance of the international community.

Security Council resolution 1244 (1999) provides the basis for resolving the Kosovo question and the "standards before status" policy provides the guiding principle. Dialogue and cooperation offer an effective way forward. We hope that the parties concerned will assiduously fulfil their obligations to effectively achieve the standards, resolve their differences through dialogue and actively strive for harmony among the ethnic communities in order to create the necessary conditions for a final and satisfactory settlement of the question of Kosovo.

Sir Emyr Jones Parry (United Kingdom): It is a particular pleasure, Minister Passy, to see you in the Chair. Welcome. I associate myself with the remarks about to be made by the Italian presidency of the European Union. I join others in thanking Under-Secretary-General Guéhenno for his briefing.

The efforts of Special Representative Mr. Holkeri, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Department of Peacekeeping Operations to move forward the political process in concert with the European Union, the Organization for Security and Cooperation in Europe and the other international actors are very welcome. To do that in dialogue with Belgrade is especially important, and we look forward to the contribution later of Mr. Šahović, who is with us. That dialogue needs cooperation, it needs substance and it needs goodwill on the part of both participants. We look especially to the authorities in Kosovo to display that. It is very important that the working groups on areas of practical cooperation, and especially on the areas of concern, should be put in place and begin their work quickly. The dialogue between Pristina and Belgrade is critical to this process. No less critical are the standards, and the document which has been released is a vital step forward. The standards and what they represent — democratic institutions, the rule of law, the question of returns and reintegration into society of different groupings — are basic to the future of Kosovo. And they are basic to whatever future Kosovo has.

Kosovo has been given an opportunity to emerge from the shadows and to move forward. The whole concept of standards before status is not rhetorical. It is absolutely basic to the sort of Kosovo that all of us want to see created. Under resolution 1244 (1999), if status is to be discussed, then it should be absolutely clear to all of us — and consistent with the requirements of that resolution — that it must be on the basis of an entity which is meeting the standards which we expect of most European States — I say European quite deliberately because it is a European destination that Kosovo is likely to have. But the standards currently enjoyed by others are essential for Kosovo. I do not say that to patronize Kosovo. I say it because it is the way the European Union and its associated countries have evolved and will continue to evolve. If Kosovo wants to be part of that, living as the sort of entity we want to see — in harmony with itself and at peace with its neighbours — then it must do this.

Thus, the implementation of the standards and the review mechanism is crucial. We will all be watching the implementation plan very carefully, but it needs especially to be discussed by those involved and worked up in conjunction with Belgrade and then — especially — put in place.

That should be the priority for the authorities in Pristina and, more widely, in Kosovo. Unilateral actions and rhetorical resolutions which are prejudicial to that process will not deter us. There can be no question that until the standards are achieved, the developments that we would all like to see in Kosovo will not be put in place. There is an opportunity. We all look now for those involved on the ground to fulfil their responsibilities and to deliver that better future.

The President: I thank the representative of the United Kingdom for his kind words addressed to me.

I shall now make a statement in my capacity as the representative of Bulgaria.

As a European Union country, Bulgaria also aligns itself with the statement to be made shortly by the Permanent Representative of Italy, on behalf of the European Union. I would like to make some additional comments in my national capacity.

Bulgaria supports from the very beginning the policy of standards before status in Kosovo, based on Security Council resolution 1244 (1999). We consider the initiative of the Special Representative of the

Secretary-General, Mr. Holkeri, to set out more concrete guidelines for progress to operationalize the "standards before status" policy and to launch a comprehensive review mechanism, to be a logical and useful continuation of the existing efforts of the contact group and the Special Representative of the Secretary-General under the auspices of the Security Council.

We take note that a first opportunity for an overall review could occur in mid-2005 or earlier, if sufficient progress is made. My country is satisfied that the "Standards for Kosovo" document was endorsed by the Security Council through a presidential statement (S/PRST/2003/26) on 12 December. Bulgaria considers the eight standards to be a sound basis for a society built on tolerance, justice and peace for everyone. We believe that once those standards are reached, the pace has to be maintained and implementation further developed. Bearing that necessity in mind, Bulgaria has proposed including sustainable implementation of the standards as an additional criterion in the implementation plan. We are convinced that such a criterion may serve as a guarantee for the accelerated development of political and economic life in Kosovo and as an important impetus for its emerging civil society.

The Bulgarian Government welcomes the start of a direct dialogue between Belgrade and Pristina focused on practical issues of mutual interest. My country is of the opinion that that dialogue should continue without further delay. We would be prepared to host in Bulgaria one of the working groups set up within the framework of that process.

Bulgaria expects that the Kosovo authorities will adhere strictly to the principles of a democratic, multi-ethnic, multicultural and multi-religious society and that it will cooperate actively with the United Nations Interim Administration Mission in Kosovo (UNMIK) so that the return of refugees and displaced persons can improve. We should like to express our conviction that a multi-ethnic society cannot function without participation by all ethnic groups in public and political life. I should like to take this opportunity to stress the need to protect and preserve all religious monuments in Kosovo, including the Orthodox Christian monasteries, whose cultural and spiritual value cannot be measured.

Bulgaria welcomes the beginning of the review mechanism for Kosovo within the framework of the Stabilization and Association Process of the European Union. As a technical, non-political process, it will enable Kosovo to benefit from the great opportunities for cooperation offered by the European Union.

I now resume my functions as President of the Security Council.

I give the floor to the representative of Serbia and Montenegro.

Mr. Šahović (Serbia and Montenegro): At the outset, I should like to congratulate Bulgaria on its assumption of the presidency of the Security Council for this month. I should also like to take this opportunity to say that we highly appreciate the fact that you, Sir, are personally presiding over the Council's deliberations today, which is a sign of the great importance that Bulgaria attaches to regional issues. In addition, I thank Under-Secretary-General Guéhenno for his detailed briefing.

The current stage of making the "standards before status" policy operational signifies a new and exceptionally important step in the implementation of Security Council resolution 1244 (1999), which is the basic framework for addressing the issue of Kosovo and Metohija. Once again, I should like to emphasize my Government's principled support for the "standards before status" concept, including the sequence of events that it clearly defines. Democratic standards leading to a multi-ethnic society based on the rule of law and respect for human rights must be achieved before a political discussion aimed at determining the final status of the province is considered.

However, the "Standards for Kosovo" document, submitted a week ago by Special Representative Harri Holkeri as the first stage of the implementation of the "standards before status" policy, raises serious concerns. Primarily, the document failed to define the standards in a way that would open up prospects for the creation of a multi-ethnic society in Kosovo and Metohija. As the Government of Serbia stated on 8 December, the United Nations Interim Administration Mission in Kosovo (UNMIK) rejected, inter alia, the proposals to make the unconditional and progressive return of refugees and displaced persons a key standard for Kosovo and Metohija, to require full protection of cultural heritage and to list measures to reform the Kosovo Protection Corps (KPC). Our Government considers the last-minute deletion, under pressure from the Provisional Institutions of Self-Government, of the introductory paragraph of the

"Standards for Kosovo" document to be an equal cause for serious concern. How can one justify the removal of the reference to resolution 1244 (1999), the Constitutional Framework and other applicable law and the original standards/benchmarks as the basis for that important document?

In a related development, we have yet again witnessed an attempt by the Kosovo Assembly to overstep its authority and to encroach on the Special Representative's reserved responsibilities by challenging the UNMIK definition of applicable law in Kosovo and Metohija. We welcome the fact that the Special Representative promptly declared the Assembly's decision to be invalid, and we look forward to further information on steps taken to avoid that kind of action in future.

Dialogue between Belgrade and Pristina is one of the standards envisaged in the original UNMIK standards/benchmarks as well as in the new "Standards for Kosovo" document. The launching of the dialogue on 14 October in Vienna foresaw the speedy commencement of expert-level talks in four working groups. However, that has not yet happened, and the reason has nothing to do with the elections in Serbia, but solely with the refusal of the Provisional Institutions of Self-Government to take part in the process. We therefore look forward to the results of the calls by the Security Council, the Contact Group and the European Union for the start of working group meetings.

Once again, we reaffirm that Serbia and Montenegro is fully prepared — as has been the case from the very beginning — to engage in discussions on practical issues of mutual interest that would improve the daily lives of all inhabitants of Kosovo and Metohija. I should also like to reiterate that the composition of the Pristina working groups must be multi-ethnic.

I now turn to the issue of the KPC. It seems necessary to recall that the original standards/benchmarks require the KPC to thoroughly comply with its mandate as a civilian emergency organization. However, according to the extensive UNMIK/Kosovo Force investigation, 12 KPC officers are suspected of involvement in the terrorist bombing of the railway bridge in Loziste in April 2003. Given that fact and the general security context in the province, it is difficult to believe that those officers were essentially offered a six-month paid leave pending the results of a police investigation. We are not aware of any similar examples of tolerance for that kind of activity anywhere else. Furthermore, we do not consider it to be an auspicious beginning for the establishment of security for all and the rule of law in the province.

With regard to the issue of privatization, we continue to request full respect for the rights of owners and users and for the rights of the Republic of Serbia in the privatization process and in defining the status of public and commercial debts. Serbia is a major creditor to companies in Kosovo and Metohija; it provided guarantees for foreign loans granted to them. It should be quite obvious that those companies cannot be put up for sale without the consent of major creditors. We expect that issue to be properly addressed in the near future.

UNMIK's cooperation with Serbia and Montenegro in the preparation of the "Standards for Kosovo" document was insufficient and lacked substance. That should not be the case in the future, especially with regard to the standards implementation plan called for by the Security Council. Such a plan should devise a set of measurable criteria for assessing implementation of the standards. It should also preclude the possibility of lowering the level of the standards themselves or of allowing for different interpretations of the criteria for their implementation. Serbia and Montenegro emphasizes its willingness to engage constructively in the preparation of the plan. My Government expects to consult regularly and substantively with the Special Representative on this matter, and we seek the Security Council's support in that regard. I am grateful for the comments of the representative of the United Kingdom on this issue.

The need for continued and constructive cooperation between our Government and UNMIK was recognized more than two years ago in the Common Document of 5 November 2001. The implementation of the "standards before status" policy is a real opportunity to translate that principle of cooperation into practice for the benefit of all concerned. The implementation plan should also establish a continuous mechanism for transparently reviewing progress in implementing the standards. Such a mechanism must provide for regular and active involvement by Serbia and Montenegro, whose sovereignty over Kosovo and its territorial integrity are basic elements of resolution 1244 (1999).

No one should doubt that a stable and democratic Kosovo and Metohija, where human rights are fully respected, is in the best interests of Serbia and Montenegro. To that end, we stand ready to work with the international community. Without involvement by all concerned, including Belgrade, durable and sustainable solutions cannot be found. If such solutions are imposed, it can only further complicate the situation. On the other hand, only a balanced approach and mutually acceptable solutions can lead to much-needed stability in Kosovo and Metohija and in the region as a whole.

The President: I thank the representative of Serbia and Montenegro for the kind words he addressed to me.

I now give the floor to the representative of Italy.

Mr. Spatafora (Italy): I have the honour to speak on behalf of the European Union. The acceding countries, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries, Bulgaria, Romania and Turkey, and the European Free Trade Association (EFTA) country Iceland, member of the European Economic Area, declare that they align themselves with this statement.

First of all, allow me to express our deep appreciation for your presence here, Sir. The fact that you preside over this meeting confirms and emphasizes the substantial importance that the Security Council and the European family attaches to the issue under discussion today. I also wish to join my other colleagues in thanking Under-Secretary-General Guéhenno for his comprehensive briefing, which has provided us with an overall picture on the current situation in Kosovo and still more importantly, has indicated the way ahead.

The European Union underlines, once again, the continued validity of the "standards before status" policy of the United Nations Interim Administration Mission in Kosovo (UNMIK) as upheld by the United Nations Security Council in accordance with resolution 1244 (1999). It therefore supports the initiative of the United Nations Special Representative of the Secretary-General, Mr. Harri Holkeri, to set out more concrete guidelines for progress and to operationalize that strategy. It welcomes the Presidential Statement, issued on 12 December, on the "Standards for Kosovo", a document that is a first concrete step in the process.

The European Union believes it is necessary to build on the current momentum by working out, as soon as possible, the relevant implementation plan and by establishing a body to continually review the progress achieved. That process should be led by the Special Representative of the Secretary-General through regular consultations with the Provisional Institutions of Self-Government and other relevant parties as appropriate.

There is considerable work to be done to achieve the agreed standards: democratic governance must take hold in a multi-ethnic Kosovo in order to make progress in anticipation of the comprehensive review envisaged for mid-2005, or earlier, if sufficient progress is made. The European Union stands ready to assist in that process and considers the Stabilization and Association Process Tracking Mechanism (STM) as an important complementary instrument to that end.

The European Union believes that the direct dialogue initiated on 14 October 2003 in Vienna remains an indispensable element of the "standards before status" strategy based on Security Council resolution 1244 (1999). It therefore encourages all parties concerned to continue the direct dialogue by convening meetings of the expert working groups without further delay.

Finally, the European Union underlines the importance of structural reforms in Kosovo, of which privatization is a key element. It calls upon the Provisional Institutions of Self-Government to exercise their responsibilities constructively so to allow the privatization process to resume as soon as possible.

The President: The next speaker on my list is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Dilja (Albania): Allow me to extend my delegation's appreciation, Sir, for your presence here today, and in particular for your presiding over this very important meeting. Allow me also to thank Mr. Guéhenno for his very comprehensive briefing.

Let me state here at the very beginning that the Albanian Government fully supports the operational plan entitled "Standards for Kosovo" presented this month and welcomes its endorsement by this body.

That plan comprises an important step forward towards the implementation of Security Council resolution 1244 (1999). It gives new momentum to the implementation of the "standards before status" policy already designed for Kosovo; it demonstrates the political will of the international community to find a final and timely solution to the Kosovo issue; and it accelerates the positive processes that Kosovo is already going through.

The eight standards, namely: functioning democratic institutions, rule of law, freedom of movement, returns and reintegration, economy, property rights, dialogue with Belgrade and the Kosovo Protection Corps, all constitute a clear cut agenda of work for the Kosovo Provisional Institutions, the United Nations Interim Administration Mission in Kosovo (UNMIK) and Kosovars in general. Hard work needs to be done, progress needs to be marked and standards need to be met.

The Albanian Government will encourage the Provisional Institutions and the people of Kosovo in this very crucial endeavour. We reaffirm our support to UNMIK and the Special Representative of the Secretary-General, Mr. Holkeri, in this new phase of their mission in Kosovo and we support and urge broader cooperation and confidence between them both, and all others concerned.

Albania is of the opinion that the comprehensive review of the "Standards for Kosovo", set to occur in mid-2005, and the advancement towards a process to determine the final status of Kosovo will contribute to this very important dimension, as well as boost the confidence of the international community in local Kosovar institutions.

We urge the people of Kosovo, their institutions and political parties to reflect the awareness, as they already have done, that all the eight standards together and each of them separately are of great importance for the building of a democratic Kosovo where all people, regardless of ethnic background, or race or religion, are free to live, work, and travel; and where the rule of law, justice, peace and tolerance prevail.

The people of Kosovo should be equally aware that each of those standards is a big challenge to be faced and to be met successfully. My delegation would like to articulate our confidence that hard work, change and constant progress will be the trend; that democratic institutions and the rule of law will function better with each passing day; that the process of returns and reintegration, based on the current progress, will successfully continue; and that dialogue between Pristina and Belgrade — which we have supported and continue to strongly support — on practical issues of mutual interest, will proceed constructively.

We base our confidence on the current achievements in Kosovo, which, as Mr. Holkeri recently stated, "has made enormous progress over the last four years".

In the meantime, we call upon all of the interested parties in the region to be part of and positive contributors to solutions and progress there. Violent acts, as the most recent one in the northern part of Mitrovica, involving the World Bank Board of Governors and Kosovo Prime Minister Rexhepi, and the establishment of parallel structures in Northern Kosovo, only aggravate the polarization of the society there and, what is more, run counter to and directly contradict the philosophy of the Standards for Kosovo.

I would like to conclude by thanking this Council for the attention it has placed on this very serious and important issue, important not only for the Kosovars but for the region as well. I would also like to reiterate my Government's full support for the Special Representative of the Secretary-General, Mr. Harri Holkeri, who, as mentioned here today, will have a challenging task ahead and quite a role to play in the upcoming months.

The President: I invite the representative of Albania to resume the seat reserved for him at the side of the Council chamber.

There are no further speakers inscribed on my list.

I will therefore take this opportunity, in my national capacity, to express my deep satisfaction with the work of Bulgaria over the past two years on the Security Council.

The Security Council has a unique role in maintaining peace and stability in the world. In 10 or 15 years, when Bulgaria will again have the chance to preside over the Security Council, I believe the world will be a better place. And who knows? Perhaps by that time Bulgaria will be a permanent member of the Security Council, I do not know. We will keep abreast of progress in the reform of the United Nations.

Now, on behalf of the Bulgarian Government and the Bulgarian people, I would like to extend my wishes for a happy holiday season and a happy New Year to all delegations and to all nations of the world. God bless you.

The meeting rose at 12.40 p.m.

United Nations S/PV.4887

Security Council

Fifty-eighth year

Provisional

4887th meeting

Thursday, 18 December 2003, 12.55 p.m.

New York

President:	Mr. Tafrov	(Bulgaria)
Members:	Angola	Mr. Gaspar Martins
	Cameroon	Mr. Chungong Ayafor
	Chile	Mrs. Serazzi
	China	Mr. Cheng Jingye
	France	Mrs. D'Achon
	Germany	Mr. Von Ungern-Sternberg
	Guinea	Mr. Sow
	Mexico	Mrs. Arce De Jeannet
	Pakistan	Mr. Mahmood
	Russian Federation	Mr. Gatilov
	Spain	Ms. Menéndez
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Ms. Howe-Jones
	United States of America	Mr. Rosenblatt

Agenda

The situation between Iraq and Kuwait

Fourteenth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999) (S/2003/1161)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-66319 (E)

The meeting was called to order at 12.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Fourteenth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999) (S/2003/1161)

The President *(spoke in French)*: I should like to inform the Council that I have received a letter from the representative of Kuwait, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Otaibi (Kuwait) took a seat at the Council table.

The President *(spoke in French)*: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the fourteenth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999) in document S/2003/1161.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council today heard a briefing from Ambassador Yuri Vorontsov, the Secretary-General's High-Level Coordinator, on the fourteenth report of the Secretary-General in accordance with paragraph 14 of Security Council resolution 1284 (1999).

"The Security Council expressed its full support towards Ambassador Vorontsov and for his tireless efforts on the issues of Kuwaiti and third country nationals and the return of all Kuwaiti property. The Security Council agreed that his mandate should continue in accordance with paragraph 14 of resolution 1284 (1999).

"The Security Council shared the views expressed by the Secretary-General in his report. The Security Council has strongly condemned the killing of Kuwaiti and third country nationals by the previous Iraqi regime in violation of international law, especially the removal from Kuwait of civilian men and women, their execution in cold blood in remote sites in Iraq and a decade long cover-up of the truth. The Security Council expressed its strong hope that those responsible for these horrendous crimes should be brought to justice.

"The Security Council expressed its deep condolences to all of the families of the Kuwaiti and third country nationals. The Security Council expressed its continuing concern for the plight of the families of those persons whose whereabouts are still unknown.

"The Security Council stressed the importance of the work of the Coalition Provisional Authority, International Committee of the Red Cross, the Tripartite Commission and its Technical Subcommittee and called on all parties concerned to continue to work towards a satisfactory solution to all of the outstanding humanitarian aspects covered by Ambassador Vorontsov's mandate.

"The Security Council expressed its deep regret that Kuwaiti property, including its national archives, has not yet been returned to Kuwait and encouraged the Coalition Provisional Authority and other parties concerned to continue their commitment to the search for, and return of, all Kuwaiti properties and archives, in accordance with paragraph 6 of resolution 1483 (2003). The Security Council agreed to continue to keep Ambassador Vorontsov's mandate under review and looked forward to receiving his next report."

This statement will be published as a Security Council document under the symbol S/PRST/2003/28.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1 p.m.